

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES**

In re: Janet Dorr

Petition No. 2003-0226-064-001

CONSENT ORDER

WHEREAS, Janet Dorr of Hamden, CT (hereinafter "respondent") has been issued certificate number 002193 to practice as a lead abatement supervisor by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 400c of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges that:

1. In or about December 2002, respondent was the lead abatement supervisor for a lead abatement project at a residence at 150 Dessa Drive, Hamden, CT (hereinafter "the property"). Said project involved the removal of lead paint from various exterior and interior windows and doors and from an exterior pipe.
2. In or about December 2002, in connection with the lead abatement project at the property, respondent:
 - a. failed to properly prepare exterior, non-friction surfaces, before application of an encapsulant, with resultant failure of the encapsulant, in violation of §19a-111-4(c)(3)(B) of the Regulations of Connecticut State Agencies (hereinafter "RCSA");
 - b. failed to properly use an encapsulant product in the manner authorized by the Department pursuant to §19a-111c of the General Statutes of Connecticut, in that respondent intended to apply encapsulant to friction surfaces, such as door jambs,

and the Department does not allow any encapsulant product to be used on friction surfaces; and/or

- c. failed to completely remove all paint from doors, thresholds and door jambs that were assumed by respondent to contain toxic levels of lead, in violation of §§19a-111-1(1), 19a-111-1(28), 19a-111-1(51) and 19a-111-4(c)(3).

3. The above described facts constitute grounds for disciplinary action pursuant to Chapter 400c and §19a-111c of the General Statutes of Connecticut, taken in conjunction with §§19a-111-1 and 19a-111-4(c) of the RCSA.


WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing but, while admitting no guilt or wrongdoing, agrees that for purposes of this or any future proceedings before the Department, this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and 20-481 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-481 of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

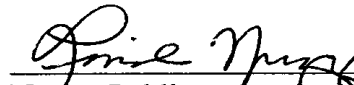
1. Respondent waives her right to a hearing on the merits of this matter.
2. Respondent's certificate number 002193 to practice as a lead abatement supervisor in the State of Connecticut is hereby reprimanded.
3. Respondent shall pay a civil penalty of two hundred and fifty dollars (\$250.00) by certified or cashier's check payable to "Treasurer, State of Connecticut." The check shall reference the Petition Number on the face of the check, and shall be payable at the time respondent submits the executed Consent Order to the Department.

4. Respondent shall comply with all state and federal statutes and regulations applicable to her licensure.
5. Respondent shall pay all costs necessary to comply with this Consent Order.
6. This Consent Order is effective on the date this Consent Order is accepted by the Department.
7. Respondent agrees that this Consent Order shall be deemed a public document, and the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Department in which her compliance with this Consent Order or with Chapters 400c or 368a of the General Statutes of Connecticut, as amended, is at issue.
8. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that she may have under the laws of the State of Connecticut or of the United States.
9. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
10. Respondent permits a representative of the Legal Office of the Bureau of Healthcare Systems to present this Consent Order and the factual basis for this Consent Order to the Department. Respondent understands that the Department has complete and final discretion as to whether this executed Consent Order is approved or accepted.
11. Respondent has the right to consult with an attorney prior to signing this document.

I, Janet Dorr, have read the above Consent Order, and I agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.


Janet Dorr

Subscribed and sworn to before me this Sept 24 day of September 2003.

 8/31/04
Notary Public or person authorized
by law to administer an oath or affirmation

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 1st day of October 2003, it is hereby accepted.


Ellen Blaschinski, Director
Division of Environmental Health
Bureau of Regulatory Services

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